

ROUTING AND TRANSMITTAL		Date
TO: (Name, office symbol, room number, building, Agency/Post)		Initials
1. A/EO/DOA		1/6/84
2. ADOA		6 JAN 1984
3. DOA		1/6/84
4.		
5.		

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

Mr. Fitzwater:

Should cys of the attached Mountain Bell letter be sent to GC, D/OL, D/OS and DXPAO who received cys of the 27 July memo? Any action?

Karen
1/6/84
no.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.— Bldg.
	Phone No.

5041-102

☆ GPO: 1983 O - 381-529 (232)

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206




10073

Mountain Bell

4520 N. Central Avenue
Phoenix, Arizona 85012
Phone (602) ~~235-1211~~ 235-4505

STAT


Assistant Staff Supervisor

December 28, 1983

Harry E. Fitzwater
Deputy Director for
Administration
Central Intelligence Agency
Washington, D.C. 20505

10-1

Dear Mr. Fitzwater:

Your letter of July 27, 1983, regarding your concern over the use of the Central Intelligence Agency trademark in the Yellow Pages was referred to this office for response.

I do want you to know that Mountain Bell shares your concern and we do want to publish directories that are accurate and reliable, as well as beneficial to the advertiser. However, we publish a large number of directories in which there are hundreds of thousands of listings and advertisements representing nearly every type of business. Under these circumstances, you can appreciate the practical impossibility of Mountain Bell determining prior to publication, the right of each subscriber or advertiser to the use of any particular listing, name or logo.

In this connection, our advertising contract contains a special clause which states that the signer of the contract is authorized to use the specific trademark or trade name where authorization may be implied in the listing or advertisement.

Upon notification by the owner of a trademark or trade name that an advertiser has not been authorized to use the same, and upon receipt of a copy of a letter from the owner of the trademark or trade name to the advertiser using the trademark or trade name, advising him of legal infringement, our sales people will make an attempt to have the advertiser remove the trade name or logo from the next directory issue. Should the advertiser refuse, however, Mountain Bell will not alter or withdraw the advertising in question unless authorized to do so by the advertiser, or a signed agreement of parties, or acting pursuant to court order.

- continued -



Bell System
Yellow Pages

- 2 -

Please note that the closing date for contracting for Yellow Pages advertising in the next Phoenix directory is October 19, 1984. For various reasons, Mountain Bell salespeople may not solicit advertising from a particular customer for the next issue directory until just prior to the directory closing date. Hence, Mountain Bell may not know the intent of the party you claim is infringing on your trade name until that time. Furthermore, given the thousands of advertising accounts which must be processed into final form at the directory close and sent to the publisher, Mountain Bell cannot assure that requests for Yellow Page changes made after the closing date will be processed in time for the coming directory. Therefore, in order that you be assured that this matter will be resolved to your satisfaction, you should provide Mountain Bell, prior to directory closing date, with a signed agreement, or a court order which Mountain Bell may honor regardless of the advertiser's intent.

Should you have any questions regarding Mountain Bell's practices as set forth above, please let me know.

Yours truly,



Consumer Affairs

STAT

SW:LV

DDA Distribution:

Orig - DDA Subj

1 - D/PAO

1 - GC

1 - D/OL

1 - D/OS

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Mountain Bell

20 N. Central Ave.
Phoenix, Arizona 85012

 Consumer Affairs

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25X1

Harry E. Fitzwater
Deputy Directory for
Administration
Central Intelligence Agency
Washington, D. C. 20505



Directorate Department

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